

House Study Bill 510 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON BALTIMORE)

A BILL FOR

1 An Act relating to strip searches at a county jail or municipal
2 holding facility.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 804.30, subsection 1, unnumbered
2 paragraph 1, Code 2014, is amended to read as follows:

3 A person arrested for a scheduled violation or a simple
4 misdemeanor and who has not been committed to the general
5 population of a jail or municipal holding facility shall not
6 be subjected to a strip search unless there is ~~probable cause~~
7 reasonable suspicion to believe the person is concealing a
8 weapon or contraband. A strip search pursuant to this section
9 shall not be conducted except under all of the following
10 conditions:

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 This bill relates to strip searches of persons arrested for a
15 scheduled violation or simple misdemeanor.

16 Current law provides that a person arrested for a scheduled
17 violation or a simple misdemeanor shall not be subjected to
18 a strip search unless there is probable cause to believe the
19 person is concealing a weapon or contraband.

20 The bill modifies this provision to provide that a person
21 who has been arrested for a scheduled violation or a simple
22 misdemeanor and who has not been committed to the general
23 population of a jail or municipal holding facility shall not
24 be subjected to a strip search unless there is reasonable
25 suspicion to believe the person is concealing a weapon or
26 contraband.